

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL MISCELLANEOUS PETITION NO. 97 OF 2025

Align Technology Inc

...Petitioner

Versus

Osstemimplant Co Ltd & Anr

...Respondents

Mr. Hiren Kamod a/w Mr. Gaurav Mukherjee, Mr. Rohan Lopes, Mr. Karan Khiani, Ms Sauyma Tripathi i/b Ms Rashmi Singh for Petitioner.

Mr. Shiwprasad Wanve a/w. Prashant Shetty, Dr. Mohan Dewan, Aditya Chitale, Sumedh Ruikar & Saikiran Mergu i/by RKDewan Legal Services For Respondent No. 1.

Ms Priyanka Chavan a/w Ms Asmi Desai for UOI.

CORAM : ARIF S. DOCTOR, J.
DATE : 18th DECEMBER 2025

P.C.

1 The matter was placed today in the backdrop of the order dated 11th December 2025, which records thus:

“1. Heard Mr. Kamod, learned counsel for the Petitioner, in rejoinder. Arguments have completed.

2. However, Mr. Wanve, learned counsel for Respondent No. 1 has requested that the matter be placed next week to enable him to take instructions as to whether the Respondents could be agreeable for the impugned order to be set aside and the matter to be remitted back for fresh hearing. It is for this limited purpose that the matter has been stood over next week.

3. Stand over to 18th December 2025 (HOB) under the caption "For Direction".

2 Learned Counsel for the Respondent has today submitted that he has instructions to submit that the impugned order can be set aside and the matter can be remanded for fresh hearing.

3 In light of this, the impugned order is accordingly set aside and the matter is remanded back for hearing afresh, without in any manner, casting any aspersion on the controller, who decide the matter and only because the matter is to be remanded back and heard afresh, the same shall be heard afresh by a new examiner on the basis of the pleadings available. The same to be heard and disposed of preferably within a period of eight weeks from today, subject to any other commitments or exigencies that the examiner may have.

4 Commercial Misc Petition is accordingly disposed of.

[ARIF S. DOCTOR, J.]